

United States District Court

Violation Notice

CVB Location Code

M7

Violation Number
FATH004COfficer Name
FedeleOfficer No.
1891

FATH004C

YOU ARE CHARGED WITH THE FOLLOWING VIOLATIONDate and Time of Offense (mm/dd/yyyy)
08/07/2022 00:00Offense Charged
FED 43 CFR 423.40DPlace of Offense
DUCK CREEKOffense Description: Factual Basis for Charge
43 CFR 423.40(D) - MOTOR VEHICLE USE OFF OF DESIGNATED ROUTEHAZMAT ☐**DEFENDANT INFORMATION**

Phone:

Last Name
DARC YFirst Name
T Y EM.I.
J

Street Address

City

State

Zip Code

Date of Birth (mm/dd/yyyy)

Drivers License No.

CDL ☐

D.L. State

Social Security No.

☐ Adult ☐ JuvenileSex ☐ M ☐ F

Race

Hair

Eyes

Height

Weight

VEHICLE

VIN:

CMV ☐Tag No.
1-50788AState
MTYear
1998Make/Model
CHEV/PASS ☐Color
BLUA ☐ IF BOX A IS CHECKED, YOU
MUST APPEAR IN COURT.

SEE INSTRUCTIONS (opposite).

B ☒ IF BOX B IS CHECKED, YOU MUST
PAY AMOUNT INDICATED BELOW
OR APPEAR IN COURT.

SEE INSTRUCTIONS (opposite).

\$ 100.00 Forfeiture Amount

\$ 30.00 Processing Fee

PAY THIS AMOUNT

\$ 130.00 Total Collateral Due

YOUR COURT DATE

(If no court appearance date is shown, you will be notified of your appearance date by mail.)

Court Address

Date (mm/dd/yyyy)

Time (hh:mm)

My signature signifies that I have received a copy of this violation notice. It is not an admission of guilt. I promise to appear for the hearing at the time and place instructed or pay the total collateral due.

X Defendant Signature

Previous edition is obsolete

Original - CVB Copy

FS-5300-4 (7/05)

FATH004C

STATEMENT OF PROBABLE CAUSE

(For issuance of an arrest warrant or summons)

I state that on 08/07/2022 while exercising my duties as a law enforcement officer in the _____ District of MT

Pursuant to 16 USC 551: I, United States Forest Service (USFS) Law Enforcement Officer (LEO), Anthony FEDELE, state that on August 10, 2022 at approximately 1347 hours, I was exercising my duties as an LEO on Federal Bureau of Reclamation Land (BOR), at the Duck Creek disburbed recreation area In Broadwater County. I made contact with Jeffery M. QUEER regarding his 2004, silver Dodge truck parked on the shoreline of Canyon Ferry Reservoir in violation of clearly posted BOR recreation regulations. There are multiple restrictive use signs in the immediate area prohibiting motor vehicle use off of designated routes, and use on the shoreline. I was also trying to make contact with Tye J. DARCY regarding his 1994, blue Chevrolet pickup, which was also parked on the shoreline next to QUEER'S truck, however, DARCY was gone.

On August 7, 2022, at approximately 1600 hours, I first observed both vehicles parked in the same location on the shoreline. At that time, nobody was in camp and nobody returned to the camp while I was on site. On August 10, at approximately 1347 hours, I returned and again observed QUEER'S pickup parked on the shoreline. I made contact with QUEER, later identified by his Montana State driver's license, and upon further questioning QUEER admitted he had previously seen the signs prohibiting motor vehicle use on the shoreline. QUEER told me he frequents the Duck Creek area a lot and knew where the designated boat launch was located. QUEER told me he had to take his boat out by his camp site because it started taking on water, and he just didn't use the designated boat launch area like he should have. I issued QUEER one citation for violation of 43 CFR 423.40(d) - Motor vehicle use off designated route.

On August 10, 2022 at approximately 1808 hours I made phone contact with DARCY. Upon further questioning DARCY admitted he drove his truck on the shoreline. Consequently, I issued DARCY a citation for violation of 43 CFR 423.40(d) - Motor vehicle use off designated route. I also educated him about the BOR recreation rules for that area.

The foregoing statement is based upon:

MY PERSONAL INVESTIGATION

I declare under penalty of perjury that the information which I have set forth above and on the face of this violation notice is true and correct to the best of my knowledge.

Executed on: 08/07/2022

 Date (mm/dd/yyyy) Officer's Signature

☐ Probable cause has been stated for the issuance of a warrant.

Executed on: _____

 Date (mm/dd/yyyy) U.S. Magistrate Judge

HAZMAT = Hazardous material involved in incident;

PASS = 9 or more passenger vehicle;

CDL = Commercial drivers license;

CMV = Commercial vehicle involved in incident